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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,001	01/29/2004	Manabu Matsubara	118511	2015

25944 7590 06/16/2006

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EXAMINER
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AMAYA, CARLOS DAVID

ART UNIT	PAPER NUMBER
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2836

DATE MAILED: 06/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/766,001

Applicant(s)

MATSUBARA ET AL.

Examiner

Carlos Amaya

Art Unit

2836

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-14 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 August 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. Figures 19 and 20 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. Applicants are already using the title of this invention in application serial number 10/740499. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "Remote starting control apparatus with theft detection and deleting/rewriting capabilities".

### ***Claim Objections***

3. Claims 1-6, 9-14 are objected to because of the following informalities:

Claim 1, lines 4-5, delete "such as an engine,".

Claim 2, lines 4-5, delete "such as an engine,".

Claim 2, line 11, delete "second".

Claim 3, lines 4-5, delete "such as an engine,".

Claim 3, line 12, delete "third".

Claim 4, line 4, delete "third".

Claim 5, line 3, change "fourth" to -- second--.

Claim 6, line 6, change "fourth" to -- second--.

Claim 9, lines 2-3, delete "such as when the performance of the predetermined operation is detected".

Claim 10, line 5, delete " such as an engine,".

Claim 10, line 8, delete "third".

Claim 10, line 10, change "second" to -- first--.

Claim 10, line 13, change "third" to --second--.

Claim 11, line 5, delete " such as an engine,".

Claim 11, line 8, change "third" to --first--.

Claim 11, line 10, change "second" to --first--.

Claim 11, line 15, change "fourth" to --second--.

Claim 12, line 3-4, delete " such as the occurrence of a vehicle theft, has been established,".

Claim 12, line 4, change "fourth" to -- second--.

Claim 13, lines 1-2, delete " such as an engine,".

Claim 13, line 3, delete "fourth".

Claim 13, line 6, delete "fifth".

Claim 13, line 9, delete "fourth".

Claim 14, lines 1-2, delete " such as an engine,".

Claim 14, line 3, delete "fourth".

Claim 14, line 6, delete "sixth".

Claim 14, line 8, delete "fourth".

***Allowable Subject Matter***

4. Claims 1-14 are allowed.

1. The following is a statement of reasons for the indication of allowable subject matter: With respect to claim 1 Hayashi (US 5,912,512) discloses an engine start control apparatus installed on a vehicle as shown in Figure 1, a code storing device for storing codes corresponding to keys in the immobilizer ECU 12, an engine starting device 54. The immobilizer 12 has an EEPROM 20, which stores an inherent code corresponding to a key and normal codes, which could also be written and deleted electrically (Column 6 lines 18-21). There is also a supply unit (Amplifying circuit 70) for supplying the immobilizer ECU 12 with an inherent code (unique code) corresponding to a remote switch 52. Hayashi, however, does not disclose a theft detection unit for detecting a vehicle theft or another signal equivalent to the specific signal, that the vehicle has been stolen, either deleting the code stored in the first storage unit or rewriting the code.

Christenson (US 5,933,090) discloses a vehicle remote control system, comprising a transmitter 11, a receiver 13 that operates in two modes of operation a program mode or an operational mode. During the program mode, fob security code information is programmed into EEPROM 33 of processor 26, however in order to program the processor has to be grounded or place a signal on a control pin 38 of

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processor 26. It would have not been obvious to one of ordinary skill in the art at time the invention was made to have combine the teachings of Christenson with the teachings of Hayashi to obtain the disclose invention, they don't teach that a code stored in a storage unit is rewritten or deleted in response to a theft detection signal.

With respect to claim 2 Hayashi (US 5,912,512) and Christenson (US 5,933,090) disclosed the limitations of as disclosed in claim 1 above, however, they don't disclose that, "when the disconnection of a battery mounted in the vehicle is detected, deleting or rewriting the code stored in the first storage unit". It would have not been obvious to one of ordinary skill in the art at time the invention was made to have combine the teachings of Christenson with the teachings of Hayashi.

With respect to claim 3 Hayashi (US 5,912,512) and Christenson (US 5,933,090) disclosed the limitations as disclosed above, however, they don't disclose that, "a third memory control unit for, when it is determined that a remote control ID code has been registered in the second storage unit, deleting or rewriting the code stored in the first storage unit". It would have not been obvious to one of ordinary skill in the art to combine the teachings of Hayashi and Christenson, for the purpose of obtaining the limitation of claim 3.

With respect to claim 10 Hayashi (US 5,912,512) and Christenson (US 5,933,090) disclosed the limitations as disclosed above, however, they don't disclose "a plurality of unique vehicle codes" and "when a determination is made, based on a detection signal, or another signal equivalent to the detection signal, received by a detection unit for detecting vehicle theft, that a vehicle theft has occurred, supplying a

delete/rewrite instruction signal to the start control apparatus to initiate the deleting or rewriting of the unique vehicle code that is stored in the start control apparatus and that matches the specific code". It would have not been obvious to one of ordinary skill in the art to combine the teachings of Hayashi and Christenson.

With respect to claim 11 Hayashi (US 5,912,512) and Christenson (US 5,933,090) disclosed the limitations of as disclosed in claim 10, however they don't disclose a "fourth supply unit for, when it is determined that a code has been registered in the second storage unit, transmitting a delete/rewrite instruction signal to the start control apparatus to initiate the deleting or rewriting of a unique vehicle code that is stored in the start control apparatus and that matches the specific code". It would have not been obvious to one of ordinary skill in the art to combine the teachings of Hayashi and Christenson.

With respect to claim 13 Hayashi (US 5,912,512) and Christenson (US 5,933,090) disclosed the limitations of as disclosed in claim 11, however, they don't disclose "a fifth memory controller for, when a determination is made, based on a detection signal received by a theft detection unit for detecting a vehicle theft, or another signal equivalent to the detection signal, that a vehicle theft has occurred, deleting or rewriting one of the unique vehicle codes that is stored in the fourth storage unit and that matches the specific code". It would have not been obvious to one of ordinary skill in the art to combine the teachings of Hayashi and Christenson.

With respect to claim 14 Hayashi (US 5,912,512) and Christenson (US 5,933,090) disclosed the limitations of as disclosed in claim 13, however, they don't

disclose "a sixth memory control unit for, upon receiving a delete/rewrite instruction signal from the remote start control apparatus to delete or rewrite a unique vehicle code that matches the specific code, deleting or rewriting the unique vehicle code that is stored in the fourth storage unit and that matches the specific code". It would have not been obvious to one of ordinary skill in the art to combine the teachings of Hayashi and Christenson.

5. This application is in condition for allowance except for the above matters:

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be the examiner's supervisor, Brian Sircus who can be reached on (571)272-2800. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CA



**CHAU N. NGUYEN**  
**PRIMARY EXAMINER**